

**10/03/05 - Monday, October 3, 2005**

CITY OF EAU CLAIRE

**PLAN COMMISSION MINUTES**

**Meeting of October 3, 2005**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Waedt, Kaiser, Duax, Vande Loo, FitzGerald, Ms. Jensen

Staff Present: Messrs. Tufte, Reiter, Genskow

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-1334-05) “ R-2 to R-2P, Zephyr Hill Avenue**  
**and**  
**CERTIFIED SURVEY MAP (CSM-07-05) “ Three Lots on Zephyr Hill Avenue**  
**and**  
**SITE PLAN (SP-0553) “ Three Duplexes, Zephyr Hill Avenue**

Matt Gundry has submitted a request to rezone property located on the east side of Zephyr Hill Avenue, north of Trindal Street, from R-2 to R-2P, along with a CSM and site plan for 3 duplexes. A previous request to develop on the 20% slopes was denied by the Plan Commission. This rezoning request will allow reduced setbacks to 20 feet.

Matt Gundry, applicant, stated that the owner now desires to withdraw the application for rezoning and the CSM. He will resubmit a site plan for just one duplex within the setbacks.

Jerry Shipman, 1064 Zephyr Hill Avenue, appeared in opposition. He opposed the reduction in setbacks.

Ms. Jensen moved to accept the withdrawal of the application. Mr. Vande Loo seconded and the motion carried.

2. **REZONING (Z-1335-05) “ TR-1A to R-1, Lamont Street**

Kent Peterson has submitted a request to rezone a vacant parcel on the east side of Lamont Street, south of Brian Street, from TR-1A to R-1.

No one appeared in opposition.

Mr. Vande Loo moved to recommend approval. Mr. Kaiser seconded and the motion carried.

3. **REZONING (Z-1336-05) “ R-4 to R-4P, W. MacArthur Avenue**  
**and**  
**PRELIMINARY CONDO PLAT (P-17-05) “ Condominiums on W. MacArthur**  
**Avenue**  
**and**  
**SITE PLAN (SP-0556) “ MacArthur Condominiums Development**

Robb Majeski has submitted a request to rezone property located on the southwest corner of W. MacArthur Avenue and Eldorado Boulevard from R-4 to R-4P and to approve the General Development Plan for the condo project. The site plan acts as the preliminary condo plat. The plat shows 37 units with the exterior units facing the street with entryways. All garages are double for each unit. The rezoning will allow the variation in lot sizes that occur with a condo plat.

Robb Majeski, 917 Lake Road, Altoona, appeared in support. He stated that the townhouse-style blocks have separations in the middle to allow persons to walk through the project. These are greenways for open space.

No one appeared in opposition. Mr. FitzGerald stated that these units are better than the previous submittal in that there are doors and windows to the street. Access is not on W. MacArthur Avenue and all parking is provided on site, not visible from the street. There is plenty of public open space to the east on the playgrounds.

Mr. Duax moved to recommend approval with the conditions listed in the staff report. Mr. Vande Loo seconded and the motion carried. Mr. Levandowski voted no.

4. **CONDITIONAL USE PERMIT (CZ-0527) “ Garage, 1705 Ruby Lane**

Tom Rebischke has submitted a request to allow a detached garage in excess of accessory use standards for height for his residence at 1705 Ruby Lane. The proposed garage has a 9/12 pitched roof, making it 21<sup>TM</sup> in height.

No one appeared in opposition.

Mr. Kaiser moved to approve the request. Mr. Waedt seconded and the motion carried.

5. **CONDITIONAL USE PERMIT (CZ-0528) “ Radio Tower and Dish, 1752**

**Brackett Avenue**

Starboard Media Foundation has submitted a request to allow a public radio tower and satellite dish to be located to the rear of property at 1752 Brackett Avenue. The site plan and elevation show a 50<sup>TM</sup> high radio tower and a 10<sup>TM</sup> diameter, 25.5<sup>TM</sup> high satellite dish located to the rear of this building. The building is 16<sup>TM</sup> in height. There is a 20<sup>TM</sup> required setback for structures from the rear lot line for properties in C-2 abutting residential.

Rick Levandowski, applicant, spoke in support. He stated the station has been in operation for over 2 years. They previously leased tower space on Mitchell Avenue. He measured from the property stake and found the building was 21<sup>TM</sup>3 from the rear property line. He was exploring a smaller tower which may fit into this 15 area.

Doreen Goswitz, owner of the property, spoke in support, and stated she is planning other improvements to the building.

No one appeared in opposition.

Mr. Vande Loo moved to approve the request with the conditions listed in the staff report. Mr. Duax seconded and the motion carried.

6. **CONDITIONAL USE PERMIT (CZ-0529) “ Home Occupation, 328 Arbor Hills**

**Circle**

David and Peggy Staehling have submitted a request to allow a home occupation consisting of an embroidery business at 328 Arbor Hills Circle. The business will be conducted within one of the three garage stalls attached to the house.

Mr. Staehling appeared in support. He stated that he anticipates deliveries up to three times a week. He will also make most of the product deliveries to customers.

No one appeared in opposition.

Mr. FitzGerald moved to approve the request. Mr. Vande Loo seconded and the motion carried.

7. **CONDITIONAL USE PERMIT (CZ-0530) “ Conversion to Duplex, 610 Erin**

**Street**

Lee Kou Her and Kayeng Xiong have submitted a request to allow conversion of a single-family home to a duplex at 610 Erin Street. Lee Kou Her appeared with a translator. He stated that the previous owner converted the duplex to a single-family home because they had a large family. The property is now for sale and he wished to convert it back to a duplex for rental. There is still a kitchen on the second floor. The structure was converted sometime in the early 1990s.

Mr. Tufte reported that the house is short of the required 2,000 square feet of area and the lot is typical of the neighborhood. There are other multi-family structures existing in the neighborhood. The North Side Hill Neighborhood Association has requested more time to consider this request to report to the Plan Commission.

Mr. FitzGerald stated that there appears to be inconsistencies in the realtor™s list of room areas.

Mr. Duax then moved to postpone consideration. Mr. FitzGerald seconded and the motion carried.

8. **STREET ENCROACHMENT “ Charles Street**

**and**

**SITE PLAN (SP-0550) “ Parking Lot, Luther Hospital**

Mr. Genskow presented a request from Luther Hospital to allow parking on a portion of Charles Street. The encroachment includes 5™ of asphalt, curb, and gutter, and a landscaping area that is 4™ wide. The total encroachment is 11.5™. This is shown on the site plan for the parking lot improvements.

Joel Rueber, Luther Hospital, appeared in support. He stated the hospital is putting in the trail system for the community.

Mr. FitzGerald moved to recommend the street encroachment. Mr. Waedt seconded and the motion carried.

Mr. FitzGerald moved to approve the site plan with the conditions listed in the staff report. Mr. Vande Loo seconded and the motion carried.

9. **SITE PLAN (SP-0557) “ Charter Bank, W. Clairemont Avenue**

Charter Bank has submitted a site plan for a new facility located on the north side of W. Clairemont Avenue, west of Hendrickson Drive. The site plan shows a proposed two-story, 28,360 square foot office building with 95 parking spaces. Site access is along the north frontage road.

Tom Twohig, SDS Architects, appeared in support.

Mr. Vande Loo moved to approve the site plan with the conditions listed in the staff report. Mr. FitzGerald seconded and the motion carried.

10. **SITE PLAN (SP-0558) “ Eight Duplexes on Damon Street**

**and**

**PRELIMINARY CONDO PLAT (P-18-05) “ 8 Condo Duplexes**

Mark Held has submitted a site plan for eight duplexes to be located on the south side of Damon Street, east of Fairfax Street, and to approve the preliminary condo plat for the project. He is proposing only 8 duplexes with a different design than the original plans. The condo plat has been changed to reflect the change in the design of each unit.

Mr. Held stated that he is not sure if they will lease or sell the condo units. He noted that the four completed units across the street have only one owner-occupied unit with three rentals. The original condo plat did not designate an ownership requirement.

Mr. Duax stated that he is opposed to rental units and urged Mr. Held to consider owner-occupancy as the primary purpose.

Mr. Tufte reminded the Commission that zoning cannot be used to control whether a unit is rented or owner occupied.

Mr. FitzGerald moved to approve the site plan and preliminary condo plat with the conditions listed in the staff report. Mr. Kaiser seconded and the motion carried.

11. **SITE PLAN (SP-0559) “ Dollar General Store, Cameron Street**

Paul Abdo has submitted a site plan for the Dollar General store located on the south side of Cameron Street, east of North Clairemont Avenue. The site plan shows a 9,100 square foot building with 32 parking stalls. There is parking provided for 32 cars. Site access is through the existing shared curb cut with the convenience store to the west.

Mr. Vande Loo moved to approve the site plan, with the conditions listed in the staff report. Mr. Waedt seconded and the motion carried.

**MINUTES**

The minutes of the meeting of September 19, 2005 were approved.

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Laura Jensen, Secretary